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EXAMINER	
COLILLA, DANIEL JAMES	
ART UNIT	PAPER NUMBER
2854	

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n No.

10/645,106

Applicant(s)

INVERNIZZI ET AL.

Examin r

Dan Colilla

Art Unit

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-- The MAILING DATE f this communication appears on the cover sheet with the corresp ndence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-17,19 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 8,18 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachm nt(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Applicant has not recited any structure in this claim, instead applicant has recited functional language of how the previously recited structure is to be used. Since the claim is an apparatus claim, the claim must be limited by reciting further structural limitations. See MPEP § 2114. While there is nothing inherently wrong with functional language, the language in this instance does not indicate any further limiting structure in the claim and thus the claim is improper.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 9-13 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646).

With respect to claims 1 and 13, Castelli et al. discloses the claimed metal backed printing blanket and the method of making the same except for the specialized coating. Castelli

et al. discloses a printing blanket with a thin metal base plate 18, with a top and bottom surface and a leading and trailing edge for engaging a cylinder gap as shown in Figures 1-2 and 4B of Castelli et al. Further disclosed by Castelli et al. is a compressible, elastomeric printing blanket 12 which includes compressible layer 30 (col. 6, lines 16-27) and elastic layer 34 (Castelli et al., col. 7, lines 11-13). Buono et al. teaches a printing blanket with a metallic inner sleeve and a specialized coating on its internal diameter (Buono et al., paragraph [0045], lines 12-13). It would have been obvious to combine the teaching of Buono et al. with the printing blanket disclosed by Castelli et al. for the advantage of providing friction between the inner surface of the printing blanket and the roller on which it is mounted ensuring that the blanket does not slip.

With respect to claim 2, applicant has not recited any further structure in this claim so it is rejected along with its parent claim.

With respect to claims 9 and 21, Castelli et al. discloses providing an anti-slip layer on the top portion of the base plate in col. 3, lines 37-39.

With respect to claims 10 and 22, Castelli et al. discloses a sealant applied along the edges of the blanket in col. 3, lines 12-15.

With respect to claims 11 and 23, in col. 7, lines 59-67, Castelli et al. discloses that the sealant 36 can be a nitrile polymer.

With respect to claims 12 and 24, Castelli et al. discloses that the blanket has a compressible layer 30 beneath the upper face and a fabric layer 28 as described in col. 3, lines 23-30 of Castelli et al.

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4. Claims 3, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646), as applied to claims 1-2, 9-13 and 21-24 above, and further in view of Rosvold (US 3,705,072).

With respect to claims 3 and 5, Castelli et al. in view of Buono et al. discloses the claimed printing blanket except that the thickness of the specialized coating is not known to the examiner. However, the optimal thickness of the specialized coating is an obvious matter that could have been determined by one of ordinary skill in the art through routine experimentation. Additionally, Rosvold teaches that it is known to apply a coating with a thickness of 2 mils (50.8  $\mu\text{m}$ ) to the underside of a rubber blanket (see the table in col. 6, and lines 53-61 of Rosvold).

With respect to the recitation of thermowelding, it is noted that this is an apparatus claim and the method of applying the coating has no patentable weight in an apparatus claim.

With respect to claim 7, in the table in col. 6, Rosvold also discloses a thickness of 0.6 mil (15.24  $\mu\text{m}$ ) for the underside coating or the blanket, as mentioned above, the method of applying the coating has no patentable weight in an apparatus claim.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) as applied to claims 1-2, 9-13 and 21-24 above, and further in view of Berna et al. (US 5,347,927).

Castelli et al. in view of Buono et al. discloses the claimed invention except that it is not known to the examiner what the specialized coating is comprised of. However, Berna et al. teaches a coating on the inner surface of a carrier tube of a printing blanket made of polyurethane (Berna et al., col. 12, lines 18-32). Berna et al. further discloses in col. 12, lines

35-40 that "the adhesives may also be encapsulated in a coating material which permits the blanket and/or carrier to be conveniently slid onto a cylinder or core, and which, when broken, crashed, dissolved, or otherwise ruptured, provides tackiness whereby rotational slippage of the blanket is minimized during operation." It would have been obvious to combine the teaching of Berna et al. with the printing blanket disclosed by Castelli et al. in view of Buono et al. for the advantage of easily sliding on the printing blanket and only activating the adhesiveness when it is properly positioned.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646), and Rosvold (US 3,705,072) as applied to claims 3, 5, and 7 above, and further in view of Brookfield (US 5,941,172).

Castelli et al. in view of Buono et al. and Rosvold discloses the claimed printing blanket except that it is not known what the coating is comprised of. However, Brookfield teaches a printing blanket with an innermost coating of polytetrafluoroethylene (Brookfield, col. 3, lines 48-55, Figure 3). It would have been obvious to combine the teaching of Brookfield with the printing blanket disclosed by Castelli et al. in view of Buono et al. and Rosvold for the advantage avoiding potential problems of contamination (Brookfield, col. 1 lines 42-46).

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) as applied to claims 1-2, 9-13 and 21-24 above, and further in view of Buono et al. (US 2003/0116044).

Castelli et al. in view of Buono et al. '646 discloses the claimed method of making a printing blanket except that it is not known to the examiner how the specialized coating is applied. However, Buono et al. '044 teaches that it is known to spray coatings onto a metal printing sleeve (Buono et al. '044 , paragraphs [0056]-[0058]). It would have been obvious to combine the teaching of Buono et al. '044 with the method of making a printing blanket disclosed by Castelli et al. in view of Buono et al. '646 for the advantage of the reduction of rogue cells and faster spraying time (Buono et al. '044, paragraph [0016]).

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) as applied to claims 1-2, 9-13 and 21-24 above, and further in view of Riskey et al. (US 2003/0129896).

With respect to claim 14, Castelli et al. in view of Buono et al. discloses the claimed method of making a printing blanket except that it is not known to the examiner how the specialized coating is applied. However, Riskey et al. teaches attaching the layers of a printing blanket through heating (thermowelding) (Riskey, page 1, paragraph [0008]). It would have been obvious to combine the teaching of Riskey et al. with the method of making a printing blanket disclosed by Castelli et al. in view of Buono et al. for the advantage of not using solvents to combine the layers which can be unpleasant to use and damaging to the environment.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) and Riskey et al. (US 2003/0129896) as applied to claim 14 above, and further in view of Rosvold (US 3,705,072).

Castelli et al. in view of Buono et al. and Risquez et al. discloses the claimed printing blanket except that the thickness of the specialized coating is not known to the examiner.

However, the optimal thickness of the specialized coating is an obvious matter that could have been determined by one of ordinary skill in the art through routine experimentation.

Additionally, Rosvold teaches that it is known to apply a coating with a thickness of 2 mils (50.8  $\mu\text{m}$ ) to the underside of a rubber blanket (see the table in col. 6, and lines 53-61 of Rosvold).

10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) and Risquez et al. (US 2003/0129896) as applied to claims 14-15 above, and further in view of Berna et al. (US 5,347,927).

Castelli et al. in view of Buono et al. and Risquez et al. discloses the claimed invention except that it is not known to the examiner what the specialized coating is comprised of. However, Berna et al. teaches a coating on the inner surface of a carrier tube of a printing blanket made of polyurethane (Berna et al., col. 12, lines 18-32). Berna et al. further discloses in col. 12, lines 35-40 that "the adhesives may also be encapsulated in a coating material which permits the blanket and/or carrier to be conveniently slid onto a cylinder or core, and which, when broken, crashed, dissolved, or otherwise ruptured, provides tackiness whereby rotational slippage of the blanket is minimized during operation." It would have been obvious to combine the teaching of Berna et al. with the printing blanket disclosed by Castelli et al. in view of Buono et al. and Risquez et al. for the advantage of easily sliding on the printing blanket and only activating the adhesiveness when it is properly positioned.



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11. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) and Buono et al. (US 2003/0116044) as applied to claim 14 above and further in view of Rosvold (US 3,705,072).

Castelli et al. in view of Buono et al. '646 and Buono et al. '044 discloses the claimed method of making a printing blanket except that the thickness of the coating is not known to the examiner. However, the optimal thickness of the specialized coating is an obvious matter that could have been determined by one of ordinary skill in the art through routine experimentation. Additionally, Rosvold teaches that it is known to apply a coating with a thickness of 2 mils (50.8  $\mu\text{m}$ ) to the underside of a rubber blanket (see the table in col. 6, and lines 53-61 of Rosvold).

12. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) applied to claims 1-2, 9-13 and 21-24 above and further in view of Jenkins et al. (US 7,793,041).

Castelli et al. in view of Buono et al. '646 discloses the claimed method of making a printing blanket except that it is not known to the examiner how the specialized coating is applied. However, Jenkins et al. teaches that it is known to apply a coating by plasma treatment onto a printing sleeve (Jenkins et al., col. 4, lines 1223). It would have been obvious to combine the teaching of Jenkins et al. with the method of making a printing blanket disclosed by Castelli et al. in view of Buono et al. for the advantage of applying extremely thin layers as afforded by plasma treatment.

13. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. (US 5,749,298) in view of Buono et al. (US 2003/0045646) and Jenkins et al. (US 7,793,041 applied to claim 14 above and further in view of Rosvold (US 3,705,072).

Castelli et al. in view of Buono et al. and Jenkins et al. discloses the claimed printing blanket except that the thickness of the specialized coating is not known to the examiner. However, the optimal thickness of the specialized coating is an obvious matter that could have been determined by one of ordinary skill in the art through routine experimentation. Additionally, Rosvold teaches that it is known to apply a coating with a thickness of 2 mils (50.8  $\mu\text{m}$ ) to the underside of a rubber blanket (see the table in col. 6, and lines 53-61 of Rosvold).

***Allowable Subject Matter***

14. Claims 8, 18 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. The following is a statement of reasons for the indication of allowable subject matter:

Claim 8 has been indicated as containing allowable subject matter primarily for the specialized coating of silicon carbide or aluminum oxide or a mixture of the two applied to the bottom of a base plate of a printing blanket.

Claim 18 has been indicated as containing allowable subject matter primarily for the step of spraying on a coating of the substances recited in claim 18.

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Claim 20 has been indicated as containing allowable subject matter primarily for the step of applying a coating of silicon carbide, aluminum oxide or mixtures thereof to a printing blanket by plasma treatment.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Colilla whose telephone number is (571)272-2157. The examiner can normally be reached Tues.-Fri. between 7:30 am and 6:00 pm. Faxes regarding this application can be sent to (703)872 - 9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached at (571)272-2168. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 14, 2004



Daniel J. Colilla  
Primary Examiner  
Art Unit 2854